

From: Eric Knudstrup
To: Microsoft ATR
Date: 1/23/02 3:15pm
Subject: Microsoft Settlement

I find the current draft of the Microsoft settlement to be grossly in the defendant's favor.

The items that concern me most are:

1. The current settlement prohibits competitors from using the proposed release of API documentation. Use of the APIs should be completely open. The current definition of API is too narrowly defined.
2. The term "Windows" is used too narrowly.
3. The current settlement fails to prohibit Microsoft from inserting intentional compatibilities into its software.
4. The current judgment allows Microsoft to retaliate against OEMs who install operating systems other than Microsofts
5. From Dan Kegels comments: Microsoft's enterprise license agreements (used by large companies, state governments, and universities) charge by the number of computers which could run a Microsoft operating system -- even for computers running competing operating systems such as Linux! (Similar licenses to OEMs were once banned by the 1994 consent decree.)
6. ALL network APIs and protocols should be released to the public with no restrictions
7. All application file formats should be released to the public with no restrictions

Thank you,

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